

Appln No. 09/807,070
Amdt date August 28, 2009
Reply to Office action of April 28, 2009

REMARKS/ARGUMENTS

Claims 1-26 are currently pending in this application. Claims 1-21, 25 and 26 have been amended. Claim 24 has been canceled. Claims 27-33 have been added. The amendments find support in the original specification, claims, and drawings. No new matter has been added. In view of the amendments and remarks that follow, reconsideration and an early indication of allowance of the now pending claims 1-23 and 25-33 are respectfully requested.

As an initial matter, the specification has been amended to add a Cross-Reference to Related Application to specify that this application is a National Phase Patent Application of International Application Number PCT/US99/23540, filed on October 9, 1999, which claims priority to U.S. Provisional Application No. 60/103,828, filed on October 9, 1998. Applicant submits that the amendment to add the Cross-Reference is timely because the international application was filed before November 29, 2000. Entry of the amendment to the specification is respectfully requested.

Claims 1-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With respect to claims 1-20, the Examiner contends that it is unclear if the software provided to the management system and the P.O.S. system is the same or different. The claims have been amended to address this uncertainty. Accordingly, the rejection of claims 1-20 under 35 U.S.C. 112, second paragraph, should be withdrawn.

With respect to claims 13-20, 24, and 25, the Examiner contends that the phrases "performing diagnostic functions" and "performing setup functions" are unclear. Applicant respectfully submit that it is not necessary for Applicant to define or identify in the claims the type of diagnostic functions or setup functions, as the claims encompass any possible number of diagnostic functions and setup functions. If the Examiner is contending that the limitations concerning the diagnostic functions and setup functions are indefinite as overly broad, Applicant respectfully submits that M.P.E.P. § 2173.04 clearly states that breadth is not indefiniteness. The scope of the subject matter embraced by claims 13-20, 24, and 25 is clear, and Applicant has not

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otherwise indicated that Applicant intends the invention to be of a scope different from that defined in the claims. Accordingly, the rejection of claims 1-20 under 35 U.S.C. 112, second paragraph, for containing the objectionable phrases, should be withdrawn.

With respect to claim 25 and 26, the Examiner contends that it is not clear whether the term "comprises" modifies the P.O.S. system or the interface device. Applicant submits that the amendments to claims 25 and 26 now overcome this rejection. The rejection of claims 25 and 26 under 35 U.S.C. 112, second paragraph, for containing the objectionable term, should be withdrawn.

Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (U.S. Patent No. 5,926,796) in view of Defede et al. (U.S. Patent Publication No. 2002/0052791). Applicant respectfully traverses this rejection.

Defede lists a filing date of October 19, 1999, but claims priority to a provisional application filed on October 19, 1998. Thus, even if Defede were entitled to the benefit of the filing date of its provisional application, the priority filing date for Defede is no earlier than October 19, 1998.

The present application, as amended, claims priority to U.S. Provisional Application No. 60/103,828, filed on October 9, 1998. Claims 1-26 find full support in Applicant's provisional application. For example the claims find support on pages 1-3, and Attachment A of Applicant's provisional application. Thus, claims 1-26 get the benefit of a filing date of October 9, 1998, which is before the priority filing date of Defede. Accordingly, Defede should be disqualified as prior art.

Claims 27-31 are new in this application. Claim 31 is a new independent claim directed to a "cash management interface system" that includes "a cash management system including a first user interface" and "a point-of-sale (POS) system including a second user interface and coupled to the cash management system over a data communications network." Claim 31 further recites that "the POS system is configured to receive input data via the second user interface and transmit the input data to the cash management system over the data communications network," and that "the cash management system is configured to receive the input data from the POS

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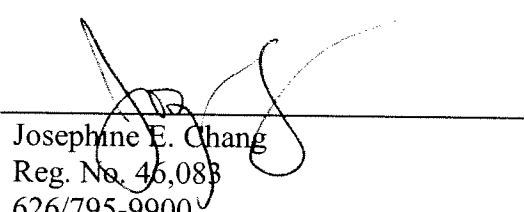
system and process the input data as an input from the first user interface." None of the cited references teach or suggest the limitations of claim 31. Accordingly, claim 31 is in condition for allowance.

Claims 27-30 and 32-33 are also in condition for allowance because they depend on an allowable base claim and for the additional limitations that they contain.

In view of the above amendments and remarks, Applicant respectfully requests reconsideration and an early indication of allowance of the now pending claims 1-23 and 25-33.

Respectfully submitted,
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